

29.05.2023

WPA 12836 of 2023

Tarak Mondal
-Vs-
State of West Bengal & Ors.

Vacation Bench

Mr. Debasis Kar

... for the Petitioner

Mr. Jahar Datta
Mr. Arun Kr. Saha

... for the State

Mr. Arghadip Das

... for the respondent no.5

The petitioner has filed the present writ application praying for a direction upon the Investigating Authority for release of the generator sets seized by the police during the investigation.

Learned Counsel for the petitioner submits that police has initiated this case against the petitioner without any authority of law. The police had seized the generator sets without any seizure memo and no copy of the seizure memo was handed over to the petitioner.

Learned Counsel for the State produces a Report wherein it reveals that upon receipt of a complaint from the complainant, the police has lodged an FIR and started investigation. During investigation notices were also issued to the petitioner who has been arrayed as an accused in the said case. Police had

seized the generator sets during the investigation and the case is under investigation.

It is found from the record that the writ application filed by the petitioner is not maintainable before this Court.

Accordingly, the writ petition is dismissed.

However, this dismissal will not debar the petitioner to approach before the appropriate Court for his grievance.

WPA 12836 of 2023 is dismissed.

All parties to act on a server copy of this order duly obtained from the official website of the Hon'ble High Court, Calcutta.

(Krishna Rao, J.)